

## **REMARKS**

In the Office Action dated August 23, 2005, a restriction requirement was imposed under 35 U.S.C. §121. The Examiner stated claims 1-14 are directed to a method for transmitting a secure message, and claims 15-27 are directed to a counter apparatus with security features to protect the hardware and the information inside.

The Examiner stated these inventions are distinct from each other and have acquired a separate status in the art, and therefore the aforementioned restriction requirement was imposed.

In response, Applicant herewith elects the invention of claims 1-14 for immediate examination. This election is made without traverse. Claims 15-27 have been cancelled without prejudice to the possibility of prosecuting those claims in a divisional application.


Additionally, the Examiner stated the invention of claims 1-14 contains four patentably distinct species. The Examiner based these species respectively on claims 7 and 10, claims 7 and 11, claims 8 and 10, and claims 8 and 11. The Examiner did not specifically so state, but Applicant assumes the Examiner's reason for grouping the claims in this manner (since claims 7 and 10 are not related to each other in the actual organization of the claims in the application, nor are claims 7 and 11, nor are claims 8 and 10, nor are claims 8 and 11), is because the step of "generating a monetary charge for said usage of said commodity..." in independent claim 1 refers to the monetary charge as being generated from the usage value and from the rate value. The species identified by the Examiner represent the four permutations of the two ways the usage value can be determined and the two ways

the rate value can be determined. Claim 1, therefore, is a generic claim reading on all of these species.

In response, Applicant elects the species designated by the Examiner as species (a), namely forming the time segment periodically and generating an event related to generation of a charge by identifying a change of the rate value (claims 7 and 10). The claims readable on this species are claims 1-7, 9, 10 and 12-14.

Early consideration of the application on the merits is therefore respectfully requested.

Submitted by,



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